

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

No. C 07-3395 CW

LINDA JOHNSON, by and through her
Conservator, Sharon Toth,

ORDER DIRECTING
PLAINTIFF TO FILE AN
OPPOSITION

Plaintiff,

v.

ALAMEDA COUNTY MEDICAL CENTER; SCOTT
ZELLER, M.D.; KURT BIEHL, M.D.;
JEANETTE COTANCHE, R.N.; LEONI
ALFONSO, R.N.; MADELYNE MARKLE, R.N.;
AND CEDRICK FROWNER,

Defendants.

Defendants have moved for summary judgment and judgment on the pleadings.¹ Plaintiff did not file an opposition or statement of non-opposition to these motions by May 28, 2009, as she was required to do. Plaintiff shall file an opposition or statement of non-opposition by June 4, 2009 or the case will be dismissed for

¹It is not clear why Defendants have filed two separate motions. In their motion for summary judgment, they argue that there is no evidence to support the claims against them. In their motion for judgment on the pleadings, they argue that the complaint contains no allegations to support the claims against them. The grounds for the latter motion are more appropriately raised at the beginning of litigation, and this motion is subsumed in the motion for summary judgment.

1 failure to prosecute. Plaintiff's opposition should respond to
2 both motions in a single brief. Defendants' reply should also be
3 contained in a single brief. The hearing scheduled for June 18,
4 2009 is hereby continued to June 25, 2009 at 2:00 p.m. Plaintiff's
5 counsel is directed to review the Civil Local Rules forthwith.

6 IT IS SO ORDERED.

7
8 Dated: 5/29/09



CLAUDIA WILKEN
United States District Judge